

ORDINANCE NO. 2384

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF GILBERT, MARICOPA COUNTY, ARIZONA ANNEXING CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 2.65 ACRES OF GILBERT ROAD RIGHT-OF-WAY, GENERALLY LOCATED BETWEEN PECOS AND WILLIAMS FIELD ROADS, FROM THE CITY OF CHANDLER CONTINGENT UPON DEANNEXATION OF SAID TERRITORY BY THE CITY OF CHANDLER PURSUANT TO THE PROVISIONS OF A.R.S. § 9-471.02; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, A.R.S. § 9-471.02 provides a method for deannexation of land from one municipality and the annexation to another municipality; and

WHEREAS, it is the desire of the Town of Gilbert to annex into the Town certain territory now within the corporate limits of the City of Chandler; and

WHEREAS, the territory proposed to be annexed into the Town of Gilbert is contiguous to the corporate limits of the Town of Gilbert.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

A. That portion of Gilbert Road right-of-way generally located between Pecos and Williams Field Roads, consisting of approximately 2.65 acres, as legally described in **Exhibit 1** attached hereto and depicted in the accurate map attached hereto as **Exhibit 2** is hereby annexed into the corporate limits of the Town of Gilbert, contingent upon deannexation by the City of Chandler and fulfillment of the provisions and requirements set forth in A.R.S. § 9-471.02.

B. A copy of this ordinance shall be filed with the Maricopa County Board of Supervisors with a request that the Board of Supervisors set a hearing date as set forth in A.R.S. § 9-471.02 (D).

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.


If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 6th day of September 2012.

AYES: Cook, Cooper, Daniels, Lewis, Petersen, Ray, Sentz

NAYES: None ABSENT: None

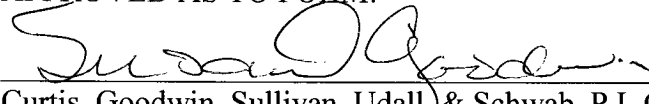
EXCUSED: None ABSTAINED: None


John W. Lewis, Mayor

ATTEST:


Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall, & Schwab, P.L.C.
Town Attorneys
By Susan D. Goodwin

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2384 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 6th DAY OF SEPTEMBER 2012, WAS POSTED IN FOUR PLACES ON THE 13 DAY OF September, 2012.


Catherine A. Templeton, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Exhibit 1 - Legal Description
2. Exhibit 2 - Map

Exhibit 1

Legal Description

EXHIBIT 1

Note: The legal description below is based on county and municipal documents. It is not based on a boundary survey of the subject parcel.

LEGAL DESCRIPTION FOR THE ANNEXATION OF PARCEL 1 TO THE TOWN OF GILBERT

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in Section 36, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL 1A:

The West 36 feet of the East 65 feet of the Southeast Quarter of said Section 36;

Except the South 100 feet thereof and;

Containing an area of 91,509.84 Square Feet or 2.10 Acres, more or less.

PARCEL 1B:

The West 10 feet of the East 75 feet of the South 400.28 feet of the Southeast Quarter of the Southeast Quarter of said Section 36;

Except the South 100 feet thereof and;

Containing an area of 3,002.80 Square Feet or 0.07 Acres, more or less.

PARCEL 1C:

The West 6 feet of the East 71 feet of the South 907.28 feet of the Southeast Quarter of the Southeast Quarter of said Section 36;

Except the South 610.28 feet thereof and;

Containing an area of 1,782.00 Square Feet or 0.04 Acres, more or less.

PARCEL 1D:

The West 6 feet of the East 71 feet of the South 1607.28 feet of the Southeast Quarter of said Section 36;

Except the South 1272.28 feet thereof and;

Containing an area of 2,010.00 Square Feet or 0.05 Acres, more or less.

PARCEL 1E:

The West 35 feet of the East 100 feet of the North 55 feet of the Northeast Quarter of the Northeast Quarter of said Section 36 and;

Containing an area of 1,925.00 Square Feet or 0.04 Acres, more or less.

PARCEL 1F:

The West 4 feet of the East 33 feet of the Northeast Quarter of said Section 36;

Except the North 33 feet thereof and;

Containing an area of 10,436.36 Square Feet or 0.24 Acres, more or less.

PARCEL 1G:

The South 4 feet of the North 33 feet of the East 65 feet of the Northeast Quarter of the Northeast Quarter of said Section 36;

Except the East 29 feet thereof;

Containing an area of 144.00 Square Feet or 0.003 Acres, more or less.

Combined area of PARCEL 1 equals 110,810.00 Square Feet or 2.54 Acres, more or less.

LEGAL DESCRIPTION
FOR THE ANNEXATION OF PARCEL 2
TO THE TOWN OF GILBERT

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in Section 25, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL 2A:

The West 35 feet of the East 100 feet of the South 82.5 feet of the Southeast Quarter of the Southeast Quarter of said Section 25 and;

Containing an area of 2,887.50 Square Feet or 0.07 Acres, more or less.

PARCEL 2B:

The West 32 feet of the East 65 feet of the South 82.5 feet of the Southeast Quarter of the Southeast Quarter of said Section 25;

Except the South 33 feet thereof and;

Containing an area of 1,584.00 Square Feet or 0.04 Acres, more or less.

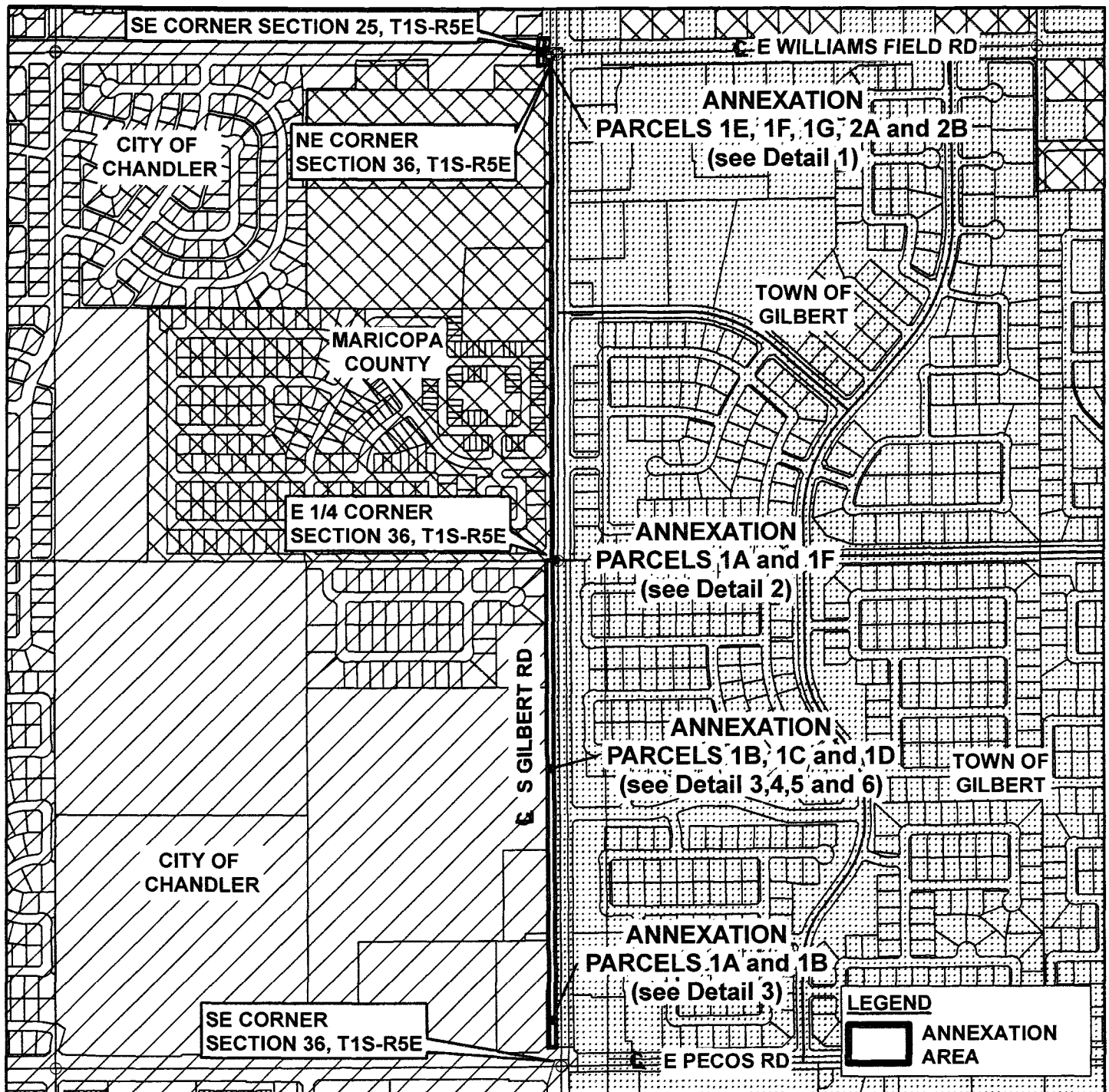
Combined area of PARCEL 2 equals 4,471.50 Square Feet or 0.10 Acres, more or less.

**Combined area of PARCELS 1 and 2 equals 115,281.50 Square Feet or 2.65 Acres,
more or less.**

Exhibit 2

Map

**ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE**



I, Michael Gillespie, Town Engineer of the Town of Gilbert, Arizona, do hereby certify that the foregoing map is a true and accurate map of the right-of-way annexed into the corporate limits of the Town of Gilbert by Ordinance No. 2384 pursuant to the deannexation of said right-of-way from the corporate limits of the City of Chandler, Arizona, and as approved by the Maricopa County Board of Supervisors.

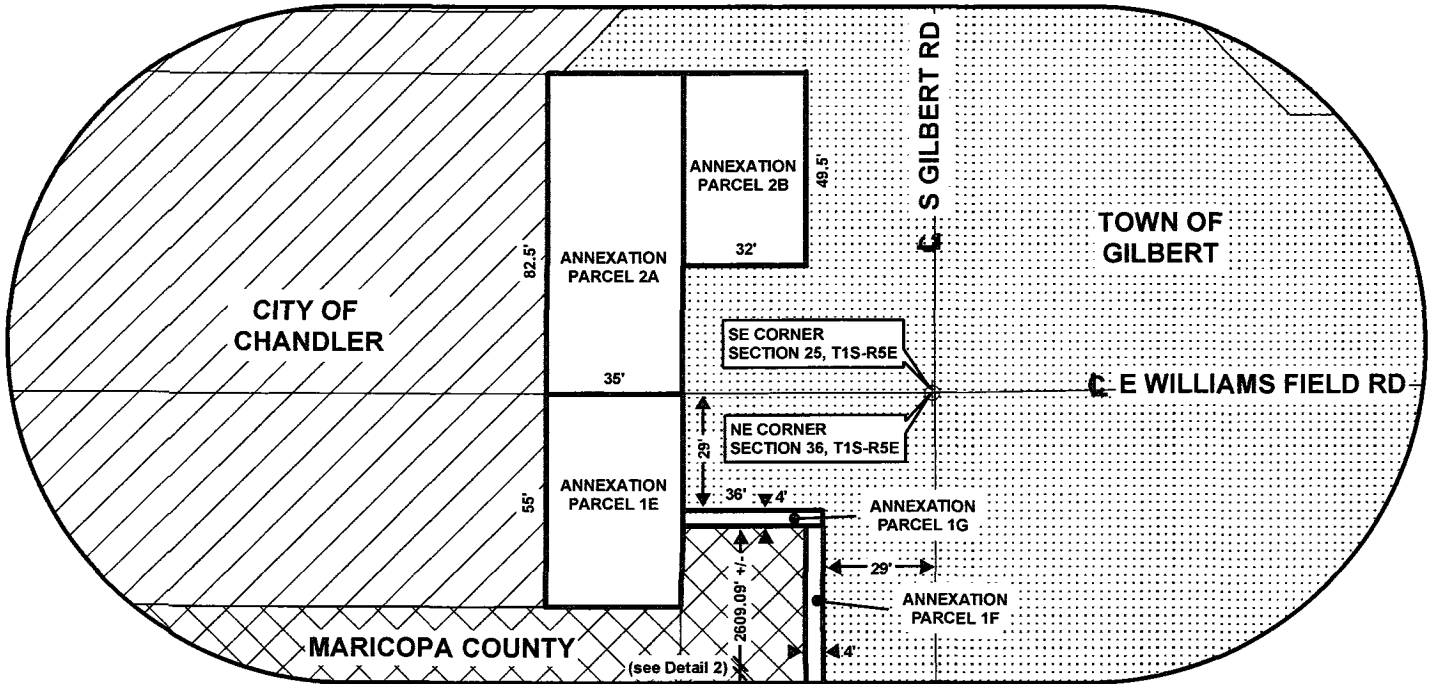
Michael A. Gillespie
Michael Gillespie, Town Engineer



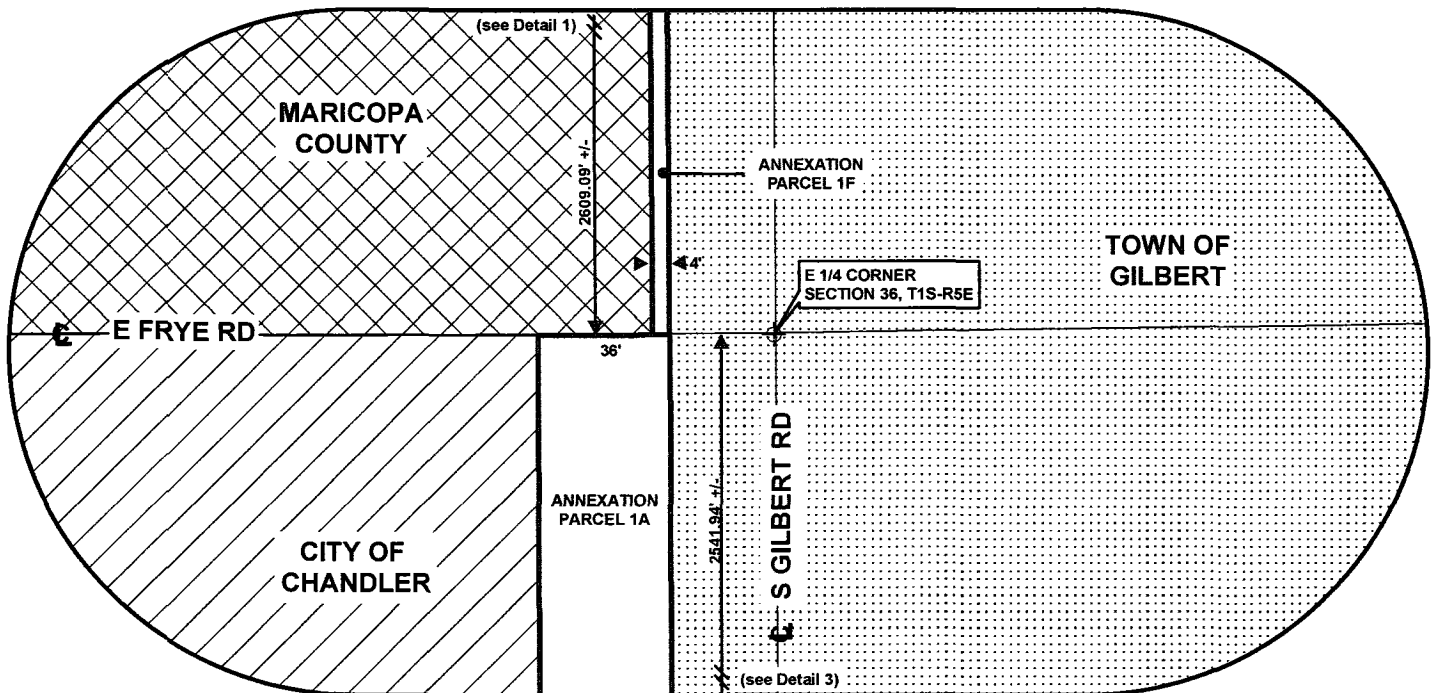
Exhibit 2, Map 1

**ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF-WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE**

DETAIL 1



DETAIL 2



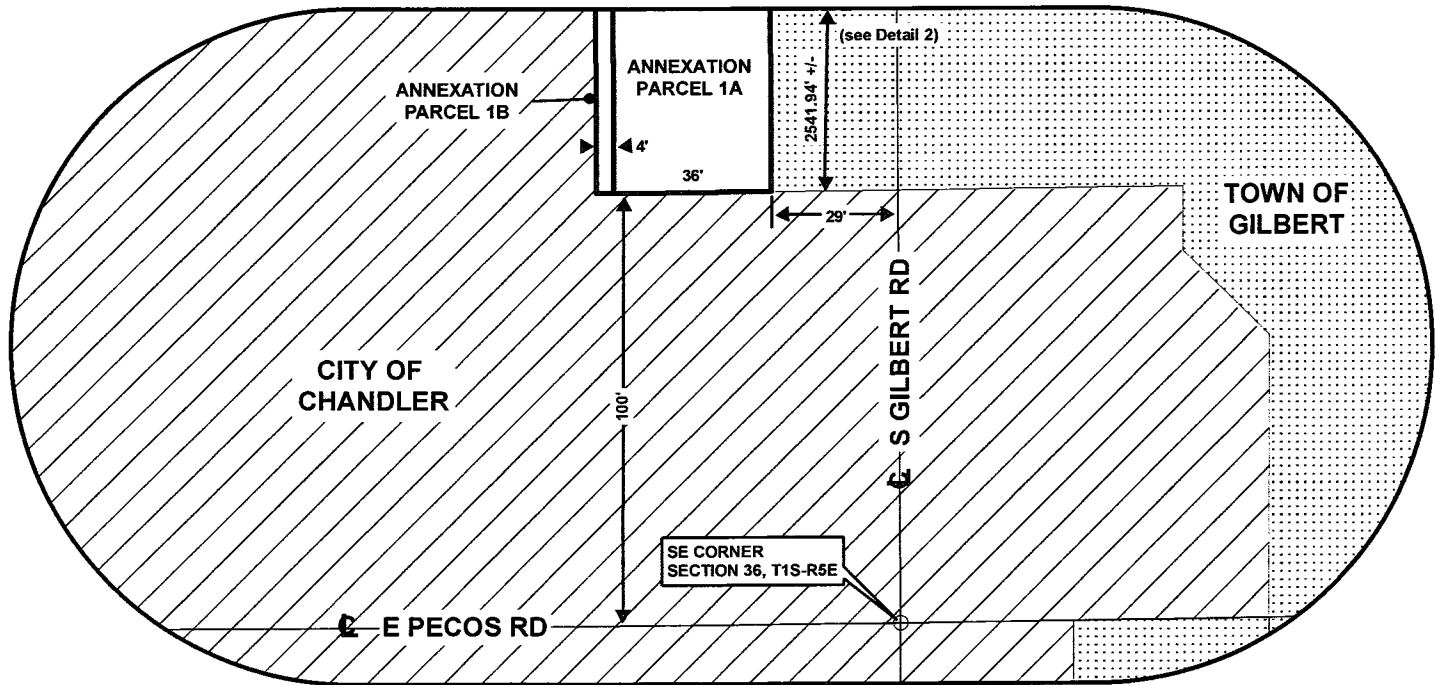
LEGEND

 **ANNEXATION AREA**

**Exhibit 2
Details 1 and 2**

**ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE**

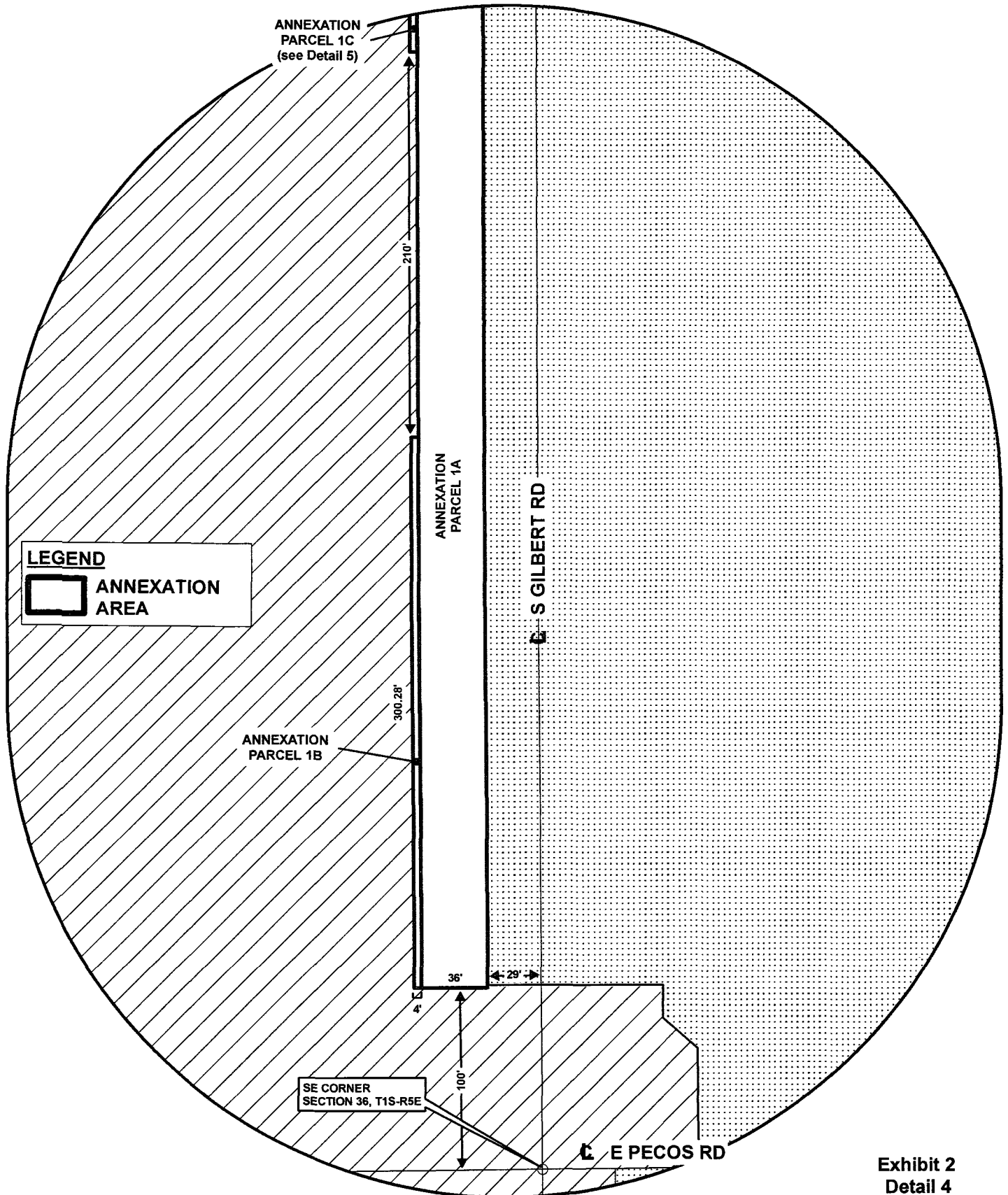
DETAIL 3



**Exhibit 2
Detail 3**

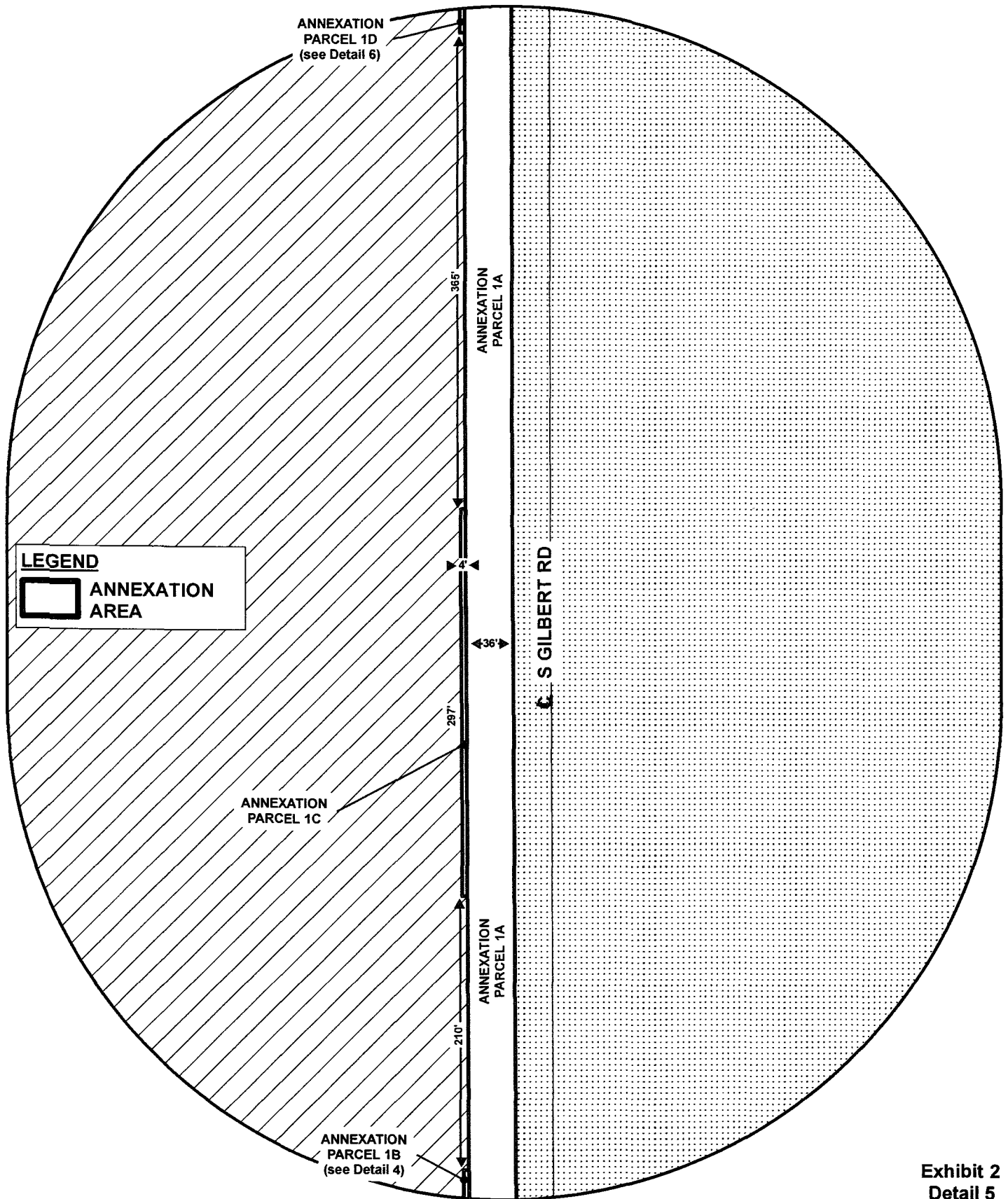
ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE

DETAIL 4



ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE

DETAIL 5



ANNEXATION OF A PORTION OF GILBERT ROAD RIGHT-OF WAY NORTH & SOUTH OF
WILLIAMS FIELD RD CENTERLINE, WEST OF GILBERT RD CENTERLINE

DETAIL 6

